

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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WILLIAM C. DAVIS,

Civil No. 09-1822 (JMR/JJK)

Plaintiff,

v.

**ORDER**

STATE OF MINNESOTA, BUREAU OF  
CRIMINAL APPREHENSION, and  
JOAN FABIAN, Commissioner of  
Corrections,

Defendants.

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The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated October 15, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

**IT IS HEREBY ORDERED** that:

1. This action is **DISMISSED WITHOUT PREJUDICE**.

Dated: November 2, 2009

s/James M. Rosenbaum  
JAMES M. ROSENBAUM  
United States District Judge